



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

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RETURN RECEIPT REQUESTED

August 11, 2009

**URGENT LEGAL MATTER  
REQUIRES PROMPT RESPONSE**

John J. Galiher, President  
Preferred Freezer Services  
360 Avenue P  
Newark, NJ 07105

Re: Clean Air Act Reporting Requirement, Docket No. AAA-09-0019

Dear Mr. Galiher:

The United States Environmental Protection Agency ("EPA") is evaluating whether Preferred Freezer Services ("Preferred") is in compliance with certain requirements of the Clean Air Act (the "Act"). These regulations include 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction. This is a federal standard which establishes requirements for the service, maintenance, repair, and disposal of appliances such as refrigeration units that contain ozone-depleting refrigerants, as required by Section 608 of the Act, 42 U.S.C. § 7671g.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a facility to submit such information as EPA may reasonably require to determine the facility's compliance with the Act. Therefore, within thirty (30) days of receiving this letter, Preferred is required to provide all of the information outlined below for Preferred's four locations in Massachusetts (Everett, Raynham, Sharon, and Westfield). Preferred must provide records for the period from January 1, 2005 to present. If Preferred has records that pre-date January 1, 2005 that are relevant to compliance for the period after January 1, 2005, Preferred should provide those records as well. Provide a separate numbered response to each numbered paragraph or subparagraph below.

1. Provide the following information about Preferred:
  - a. a description of the ownership and business structure;
  - b. a list of partners or corporate officers;
  - c. the date and state of incorporation;
  - d. a list of any parent and subsidiary corporations;

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- e. Preferred's net worth (if not available, provide gross annual receipts); and
  - f. the number of employees at each of Preferred's four locations in Massachusetts.
2. Provide the following information about each of Preferred's four locations in Massachusetts. Distinguish between the four locations in your response.
- a. List the refrigeration units with refrigerant capacities of more than 50 pounds:
    - i. identify whether each unit is an industrial refrigeration unit, commercial refrigeration unit, comfort cooler, or other type (if other type, explain its function);
    - ii. for each refrigeration unit, state the quantity of refrigerant (in pounds) the unit holds at full charge, the type of refrigerant used, and the date the full charge was most recently determined; and
    - iii. provide a description of the refrigeration unit's location, along with its name, serial number, or other identification used by Preferred.
  - b. For each refrigeration unit with a capacity of more than 50 pounds, provide copies of any work logs, service tickets, invoices, and other documents maintained by Preferred that relate to service and repair between January 1, 2005 and the present. These records should include:
    - i. the date any service was performed;
    - ii. the date any refrigerant leaks were discovered and amount of refrigerant that leaked;
    - iii. a detailed description of all repair work done in association with each refrigerant leak (if repairs were not conducted, explain why);
    - iv. the date each refrigerant leak repair was conducted;
    - v. the amount of new refrigerant added; and
    - vi. the name of the technician who performed the work.
  - c. Provide the name(s) of all employees of Preferred who maintain, service, remove, repair, or dispose of refrigeration units.
    - i. provide the date of certification for each technician.
    - ii. indicate the level of certification, and provide a copy of each technician's certificate.
  - d. Provide the name, address, and telephone number of each person, agent, or business entity from whom Preferred purchased refrigerant for use at these facilities. Provide records indicating the amount of refrigerant Preferred purchased from January 1, 2005 to present.
  - e. Provide a list all of the refrigerant recovery and/or recycling equipment owned or leased by Preferred since January 1, 2005. For each piece of equipment provide the make, model and serial number of the equipment, and the date that the equipment was registered with EPA.

- f. For each recovery/recycling equipment used at each Preferred facility indicate:
- i. whether it is certified equipment under 40 C.F.R. §82.158;
  - ii. if so, whether Preferred has certified to EPA that the equipment is certified, in accordance with 40 C.F.R. §82.162.

Be aware that if Preferred does not provide the requested information, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This reporting requirement is not subject to Office of Management and Budget review under the Paperwork Reduction Act.

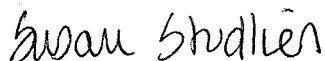
Preferred may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. §2.203(b). Note that certain categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to Preferred.

You are required to submit the above-required information to:

Susan Studlien Director  
U.S. Environmental Protection Agency, Region I (Mail Code SAA)  
One Congress Street, Suite 1100  
Boston, Massachusetts 02114-2023  
Attn: Abdi T. Mohamoud, Air Technical Unit

If you have any questions regarding this reporting requirement, please contact Abdi T. Mohamoud at (617) 918-1858, or have your attorney call Thomas T. Olivier, Senior Enforcement Counsel, at (617) 918-1737.

Sincerely,



Susan Studlien, Director  
Office of Environmental Stewardship